UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUN -3 AM 10:57

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Docket No. '08 MJ 1741
v.	COMPLAINT FOR VIOLATION OF:
Sergio RAMOS-Lopez, Defendant	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **June 1, 2008** within the Southern District of California, defendant, **Sergio RAMOS-Lopez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **3rd DAY** OF **June 2008**

Leo S. Papas
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Sergio RAMOS-Lopez

PROBABLE CAUSE STATEMENT

On June 1, 2008, Border Patrol Agent R. Plascencia was performing line watch duties, in the Campo, California area of responsibility. Agent Plascencia was working near an area located approximately 18 miles east of the Tecate, California Port of Entry and approximately 6 miles north of the U.S./Mexico International Boundary.

Agent Plascencia utilizing sign cutting techniques immediately found footprints leading into the brush. Agent Plascencia followed these footprints and encountered a total of 13 individuals attempting to conceal themselves in the surrounding brush. One of these individuals was later identified as the defendant **Sergio RAMOS-Lopez**. Agent Plascencia immediately identified himself as a United States Border Patrol Agent and questioned all subjects as to their citizenship and immigration status. All thirteen subjects including the defendant readily admitted to having entered the United States without any valid United States immigration or travel documents that would allow them to enter or remain in the United States legally. All thirteen subjects further admitted to being natives and citizens of Mexico. All thirteen subjects including the defendant were arrested and transported to the Campo Border Patrol Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on May 14, 2008 through San Ysidro**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.